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Remarks

FEB 22 2007

Reconsideration of this patent application is respectfully requested, particularly as herein amended.

The Office Action of November 30, 2006, objects to the drawings under 37 C.F.R. §1.83(a), taking the position that the drawings do not show the "plurality of supports", the "interior region", the "first portions" and the "second portions" recited in applicants' claims.

A new Figure 8 is enclosed with this Reply which illustrates one example of a typical rack having a "plurality of supports", corresponding to disclosure originally provided in the specification for this patent application, for example, at lines 14 to 22 of page 1. The specification has been correspondingly amended to incorporate this new figure (including the addition of a brief description after line 15 of page 4, and conforming amendments made from line 35 of page 6 to line 3 of page 7, at lines 8 and 9 of page 7, at lines 2 and 3 of page 8, and at line 8 of page 8).

In view of the discussion which follows, related to the rejection of applicants' claims 18 to 29 under 35 U.S.C. §112, first paragraph, it is submitted that the drawings for this patent application already illustrated the "interior region", the "first portions" and the "second portions" recited in applicants' claims. Accordingly, it is submitted that with the addition of new Figure 8, the objection to applicants' drawings under 37

C.F.R. §1.83(a) is overcome.

Claims 18 to 29 are rejected under 35 U.S.C. §112, first paragraph, because the "interior region", the "first portions" and the "second portions" recited in applicants' claims 18 to 29 are not considered to be sufficiently described to enable the person of ordinary skill in the art to make and/or use the invention. To this end, it is first indicated that the specification does not clearly define such structure, followed by an indication that such structure is considered to contradict the drawings and the specification. These positions are respectfully traversed, and a reconsideration and withdrawal of the rejection of claims 18 to 29 under 35 U.S.C. §112, first paragraph, is respectfully requested in view of the following.

Firstly, an equipment-supporting rack having an "interior region" for receiving desired components, including "first portions" in which components can be freely accessed and "second portions" in which access to components is restricted by the supports forming the rack, was described in the "Background of the Invention" which was given in applicants' specification, for example, at lines 14 to 22 of page 1, and at lines 12 to 30 of page 2. The described structures and operating conditions would have been clearly understood by the person of ordinary skill in the art at the time the present invention was made.

Secondly, how the fixture of the present invention, both alone and in combination with a component, cooperates with an equipment-supporting rack having an "interior region" for

receiving desired components, including "first portions" in which components can be freely accessed and "second portions" in which access to components is restricted by the supports forming the rack, was clearly described in the "Detailed Description of the Invention", for example, from line 35 of page 6 to line 20 of page 9, and was clearly shown in the drawings, for example, in Figures 5 and 6.

For example, the "interior region" is identified at line 9 of page 7, referring to Figures 5 and 6 of the drawings; the "first portions", in which components can be freely accessed, are described from line 30 of page 8 to line 2 of page 9, referring to Figure 6 of the drawings; and the "second portions", in which access to components is restricted by the supports forming the rack, are described at lines 4 to 13 of page 8, referring to Figure 5 of the drawings.

In view of the foregoing, it is submitted that the "interior region", the "first portions" and the "second portions" recited in applicants' claims 18 to 29 are clearly described in a manner which would have enabled the person of ordinary skill in the art to make and/or use the invention, and that there are no contradictions between the recited structures and the drawings or the specification.

Nevertheless, and in an effort to further advance the prosecution of this patent application, the specification and the drawings have been amended to even more clearly illustrate such structures. To this end, the previously described "interior

"region" is identified at line 9 of page 7 of the specification (and elsewhere) and is shown in Figure 8 of the drawings by a reference number 46, and a reference number 47 has been added to Figure 6 of the drawings and is included in Figure 8 to identify the previously described "first portions". The "second portions" were previously identified by the reference number 35. The specification has been amended (at lines 10 to 13 of page 8, and at line 32 of page 8) to incorporate the reference numbers 46 and 47.

In view of the foregoing, a reconsideration and withdrawal of the rejection of claims 18 to 29 under 35 U.S.C. §112, first paragraph, is respectfully requested. Responsive to the requirements of 37 C.F.R. §1.121(d), a "Replacement Sheet" of drawings bearing Figure 6, and a "New Sheet" of drawings bearing Figure 8, are enclosed with this Reply. Entry of the enclosed "Replacement Sheet" of drawings and "New Sheet" of drawings is respectfully requested.

Claims 1 to 5, 9 to 13 and 17 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 2,182,546 (Raymond). Such rejection of applicants' claims is respectfully traversed for reasons indicated in the Reply filed in this matter on September 14, 2006, and in view of the following discussion which addresses positions taken in the Office Action of November 30, 2006.

The locking mechanism of the present invention has a manually retractable tip associated with the flange of the second

plate. Raymond discloses latches 15 that are "slidably mounted" in the housings 12 (see, lines 53 to 55, left column, of page 1 of Raymond), to provide a hinge that can latch a door closed "by a slight pull on the door" (see, lines 6 to 8, left column, of page 1 of Raymond). It is submitted that this does not constitute a disclosure of a manually retractable locking mechanism.

Moreover, because the latches 15 of Raymond are received in housings 12 having a "closed outer end 13" (see, lines 51 and 52, left column, of page 1 of Raymond), the engagement of structures associated with the latches 15 is precluded, preventing manual retraction of the latches 15. Raymond further indicates that the "latches 15 may be easily cammed by the latch member 19... and thus provide for opening of the door 2 under a slight pull exerted thereagainst" (see, lines 26 to 30, right column, of page 1 of Raymond). This is structurally inconsistent with a manually retractable locking mechanism, providing further support for the patentability of applicants' claims.

It is noted that in the Office Action of November 30, 2006, the Examiner takes the position that the bolt 17 which extends through the closed end 13 of each housing 12 makes it possible to manually retract the latches 15. However, there is no disclosure of this in Raymond. Raymond discloses that the latch operates responsive to a slight pull on the door, not to any engagement of the hinge or its components. Moreover, there

is no disclosure that the head of the bolt 17 (either its size or its shape) would allow for manual engagement of the bolt, or that such engagement would be sufficient to overcome the force of the spring. Also to be noted is that an engagement of both of the bolts 17 (one on the top and the other on the bottom) would be required to effectively release the latch member 19. Once again, there is no disclosure of this by Raymond. Accordingly, it is submitted that there is no proper foundation for the Examiner's suggestion that the bolt 17 enables manual retraction of the latch 15, and that this does not constitute a disclosure in Raymond which is sufficient for purposes of rejecting claims under 35 U.S.C. §102(b).

Moreover, because Raymond indicates that the latches are easily cammed by the latch member 19, to open the door under a slight pull, what Raymond discloses is a latch member that is automatically pulled from the latches which receive it. A manually retractable latching mechanism would not operate in this fashion, and could lead to damage of the structures involved, justifying applicants' prior position that the latching structures disclosed by Raymond are structurally inconsistent with a manually retractable locking mechanism.

Raymond further discloses an angled bracket 10 which is positioned along a lateral edge of the leaf 3, relative to the hinge 6, 7 (see, Fig. 4 of Raymond), presenting yet another distinction between the structure disclosed by Raymond and the structure recited in applicants' claims.

It is noted that in the Office Action of November 30, 2006, the Examiner takes the position that the terms longitudinal and lateral depend on the orientation of the device at issue. It is submitted that this is incorrect, and that such terms properly define structure relative to the device at issue, irrespective of the orientation of the device when in use. Moreover, it is submitted that because these structural relationships are recited in the claims, and must therefore be considered, Raymond cannot be said to disclose such structure where entirely different structural relationships are disclosed.

Nevertheless, upon reviewing the claims relative to the terms in question, it has been noted that the recited structural relationships are properly amended to better correspond to the disclosure in the specification and the illustrations in the drawings. To this end, applicants' claims have been amended to recite "a flange extending from a transverse edge of the surface of the second plate", to better correspond to the structure shown in the drawings (which show the flange extending from an end of the mounting plate 2), and rotation "to an orientation which laterally projects from the second plate", once again, to better correspond to the structure shown in the drawings (which show the mounting plate 3 projecting from a side edge of the mounting plate 2). A corresponding amendment has been made to the specification at line 26 of page 4. However, the amendments which have been made do not change the structural relationships being recited, and it is submitted that the claims continue to

distinguish the cited patent to Raymond for the various reasons previously discussed.

Claims 18 to 25 and 27 to 29 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,079,081 (Padiak et al.). To this end, the storage shelf system 10 of Padiak et al. is said to correspond to the rack recited in independent claim 18, the door 12 of Padiak et al. is said to correspond to the recited component, and structures associated with the door mount assembly 114 (shown in Figure 3 of Padiak et al.) are said to correspond to structures of the recited fixture (the base 134 of the support 128 is said to correspond to the recited first plate and the hinge plate 130 is said to correspond to the recited second plate). However, irrespective of whether such correlations can be made, the operative connections which are then discussed at the middle of page 6 of the Office Action do not correspond to the structural relationships recited in claim 18 and, therefore, cannot form the basis for a rejection of claims under 35 U.S.C. §102(b).

It is first indicated that, in a first position, the base 134 of the support 128 is located within second portions of the region defined by the uprights 18 of the storage shelf system 10, which would then have to correlate with applicants' claimed "second portions defining an area of limited access". However, the only way that the base 134 could then be located in an area of limited access would be if the door 12 was closed. In such case, however, there would then be no "first portions for freely

accessing the components" in the region defined by the uprights 18 of the storage shelf system 10 because the door 12 would then block all access to the region defined between the uprights 18.

It is next indicated that, in a second position, the base 134 of the support 128 is rotated to an orientation which projects from the hinge plate 130 and which is located in first portions of the region defined by the uprights 18 of the storage shelf system 10, which would then have to correlate with applicants' claimed "first portions for freely accessing the components". However, this could only take place by opening the door 12, which would then place the base 134 of the support 128 outside of the region defined by the uprights 18 of the storage shelf system 10. This is to be distinguished from the structural relationships recited in applicants' claim 18, wherein the recited interior region, and the first portions and the second portions which comprise the interior region, are located between the plurality of supports, as distinguished from the exterior placement which is suggested in the Office Action.

It is noted that in the Office Action of November 30, 2006, the Examiner takes the position that the "interior region", the "first portions" and the "second portions" recited in claim 18 constitute new matter, are not disclosed in the specification or shown in the drawings, and conflict with the disclosure because the deployed position of the fixture and component somehow positions these elements "outside of the 'interior portions'". It has previously been shown that the recited

"interior region", including the "first portions" and "second portions" which comprise the interior region, are not new matter, are clearly disclosed in the specification, and are shown in the drawings. Clearly, there is no conflict with the language of claim 18 because the deployed position of the fixture and the component received by the fixture only operates to move the fixture and component from the second portions of the interior region to the first portions of the interior region, not to the "outside of the 'interior portions'", as is suggested in the Office Action.

In sum, it is submitted that the reading of Padiak et al. which is suggested in the Office Action is precluded by the language of claim 18. In claim 18, the interior of the rack (which is defined by "the supports of the rack") is defined as the region for receiving the plurality of components, including both the freely accessible first portions and the second portions of limited access. Such structure is entirely different from the shelf system 10 of Padiak et al.

Claims 1, 10 and 30 to 32 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 1,898,562 (More). Such rejection of applicants' claims is respectfully traversed for reasons indicated in the Reply filed in this matter on September 14, 2006, and in view of the following discussion which addresses positions taken in the Office Action of November 30, 2006.

The door frame (c) of More is said to correspond to

the rack recited in independent claim 18, the door (1) of More is said to correspond to the recited component, and structures associated with the door holder (shown in Figures 3 and 4 of More) are said to correspond to structures of the recited fixture (a first plate 10 is said to correspond to the recited first plate, a second plate 11 is said to correspond to the recited second plate, and an arm (a) is said to correspond to the recited locking mechanism). However, irrespective of whether such correlations can be made, it is submitted that the structures of More exhibit operative connections which differ from the structural relationships recited in claim 18 and, therefore, cannot form the basis for a rejection of claims under 35 U.S.C. §102(b).

It is noted that in the Office Action of November 30, 2006, the Examiner notes that the arm (a) is hingedly connected to the second plate 11 (the hinge plate d) and that the pin (i) is attached to the arm (a), and takes the position that More discloses a manually retractable locking mechanism which is movably coupled with a receiving flange. Firstly, claims 1 and 10 each recite a locking mechanism which is fixed to the flange, as distinguished from a locking mechanism which is hingedly connected to the flange. Secondly, More specifically indicates that the "latch member is readily disengageable by merely giving the door a quick pull, without any manipulation of the door holder itself" (see, lines 3 to 6 of page 2 of More). Consequently, More discloses a latching mechanism which is to

operate automatically, responsive to movement of the door with which it is associated, not by manual retraction of the latching mechanism, as is suggested in the Office Action.

Nevertheless, and in an effort to further advance the prosecution of this patent application, claims 1 and 10 have been amended to recite a locking mechanism having "an axially retractable tip" which is movably coupled with the flange of the second plate, and "a cap having graspable face portions coupled with the tip for manual retraction of the tip". Such structure is disclosed with reference to lines 8 to 11 of page 5, and lines 14 to 18 of page 8 of applicants' specification, and is further illustrated in Figure 3 of the drawings. Lines 9 and 10 of page 5 of the specification have been amended to better correspond to the amendments which have been made to claims 1 and 10. It is submitted that such amendments further preclude the reading of More which is suggested in the Office Action of November 30, 2006, even more clearly overcoming the rejection of claims 1, 10 and 30 to 32 under 35 U.S.C. §102(b) as being anticipated by More.

It is further noted that the Examiner again takes the position that the terms longitudinal and lateral depend on the orientation of the device at issue, and that such terms therefore fail to distinguish the subject matter recited in applicants' claims from More's disclosure. It is submitted that this is incorrect, and that such terms properly define structure relative to the device at issue, irrespective of the orientation of the

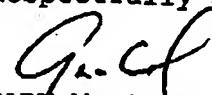
device when in use. Moreover, it is submitted that because these structural relationships are recited in the claims, they must be properly considered, and cannot fairly be dismissed.

Claims 6 and 14 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Raymond. It is acknowledged that Raymond does not disclose the claimed notch; however, the position is taken that this would have been obvious to one of ordinary skill in the art at the time the present invention was made. No reference is cited to show the structure which is being claimed. Although a motivation has been suggested for modifying the structures of Raymond's hinge, it is submitted that this is inconsistent with Raymond's disclosure when considering that the placement of a notch along the edge of the leaf 4 of Raymond (or the leaf 3) would compromise the structural integrity of the flange 5 which is attached to the leaf 4 (or the leaf 3), as well as the latch member 19 which is attached to the leaf 4 (or the angled bracket 10 which is attached to the leaf 3).

Accordingly, it is submitted that this would teach away from the modification of Raymond which is proposed in the Office Action, to avoid the compromise in structural integrity which would then result, and that there would have been no motivation for the person of ordinary skill in the art at the time the present invention was made to modify the structures of Raymond, as suggested. Reconsideration and withdrawal of the rejection of claims 6 and 14 as being unpatentable over Raymond is, therefore, respectfully requested.

In view of the foregoing, it is submitted that this application is in condition for allowance and corresponding action is earnestly solicited.

Respectfully submitted,



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Date: 2/22/07



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